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FACSIMILE MESSAGE

TO: The Honorable Susan Oki Mollway FAX: 541-1724

FROM: Kenneth S. Robbins, Esq.  
DATE: June 9, 2008  
TOTAL # OF PAGES: 3  
CASE NAME: HCBCG v. Hawaii Pacific Health, et al.;  
Civil No. CV03-00708 SOM/LEK  
NOTE: Letter dated 6/9/08 from Kenneth S.  
Robbins, Esq.

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June 9, 2008

### VIA FACSIMILE

The Honorable Susan Oki Mollway  
Judge, United States Courthouse  
Prince Kuhio Federal Building  
300 Ala Moana Boulevard  
Honolulu, Hawai'i 96850

Re: Hawaii Children's Blood and Cancer Group v. Hawai'i Pacific Health, et al.,  
Civil No. CV03-00708 SOM/LEK

Dear Judge Mollway:

I write to you now after speaking with Mr. del Castillo this morning by way of a meet and confer and, following that, Mr. del Castillo's and my conversation with your courtroom manager, Ms. Toni Fujinaga.

As you have noted a number of times on the record, you are awaiting the final outcome of the underlying state court case, pending before Judge Ayabe, before proceeding definitively in this case. In that regard, Mr. del Castillo has filed on behalf of his clients in the underlying case a motion to reconsider all but one of Judge Ayabe's orders which have granted partial summary judgment. Judge Ayabe has designated the said motion as a non-hearing motion and we have been awaiting Judge Ayabe's ruling for some weeks now. If Judge Ayabe denies the pending motion, that will dispose all issues in the underlying state action.

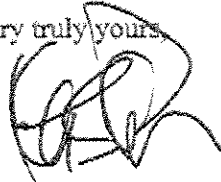
As you know, Judge Kobayashi has kindly scheduled a status conference in this matter to be held on June 19, 2008. In the interim, we have some near-trial deadlines tomorrow, June 10, 2008, which Mr. del Castillo and I agree should be put over until after the status conference. Additionally, Mr. del Castillo and I agree that trial of this matter, currently scheduled for July 2, 2008, should be continued to allow Your Honor and counsel to assess the necessity of addressing any of the issues in this case, following Judge Ayabe's final ruling on the motion pending before him at this time. In that regard, we have already advised Mr. del Castillo of the fact that we have prepared a motion for summary judgment in this case, which we can only file after Judge Ayabe issues his final order in the underlying case.

Accordingly, we ask that counsel need not meet tomorrow's near-trial deadlines and we look forward to conferring with Judge Kobayashi on June 19, by which time we hope Judge Ayabe will have ruled on Mr. del Castillo's motion to reconsider.

The Honorable Susan Oki Mollway  
June 9, 2008  
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We thank you in advance for any consideration you give to our request.

Very truly yours,

A handwritten signature in black ink, appearing to be "K. Robbins", written over a horizontal line.

Kenneth S. Robbins

KSR\08-0201

cc (via fax):

Arleen D. Jouxson-Meyers, M.D., M.P.H., Esq.  
Rafael G. del Castillo, Esq.